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Attorneys for Defendants
6 PENINSULA CORRIDOR JOINT POWERS BOARD
(erroneously sued herein as Caltrain)
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 CLARENCE JAMES "KIMO" SLOAN, JR.,

11 Plaintiff,

12 v.

13 CALTRAIN, a public corporation; MICHAEL
SCANLON; AMTRAK, a public corporation;
14 DAVID GUNN; AMELCO ELECTRIC; a
private corporation; MARK ANGELICH;
15 KINGDOM PIPELINE; a private corporation;
BRENDAN MURPHY; CHRISTOPHER
16 PAYNE; ROD MCLEAN; DEREK BROWN;
LOUIS AVILEIR; CLAUDE ROBBINS;
17 WAYNE PARKS; RUSSELL HOLDEN;
JAMES CHAMPDELANE; and DOES 1
18 through 20, inclusive;

19 Defendants.

20 AND RELATED CROSS-CLAIM.
21

CASE NO. C 05-03168 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER DISMISSING THE ACTION
AGAINST DEFENDANT CALTRAIN
ONLY, WITH PREJUDICE**

22 Plaintiff CLARENCE JAMES "KIMO" SLOAN, JR. filed the original Complaint in this
23 Action in San Mateo County Superior Court on June 17, 2005, Sloan v. Caltrain, a public
24 corporation, et al., San Mateo County Superior Court Case No. CIV447601, and served
25 Defendant Peninsula Corridor Joint Powers Board ("Caltrain" or "Defendant"), erroneously
26 named as "CalTrain" in the original Complaint. The Action was then removed to the U.S.
27 District Court for the Northern District of California on August 4, 2005.
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SF/1326097v2

1 Plaintiff and Defendant CALTRAIN have now settled all claims between them and
2 request, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2), that this court enter an order
3 dismissing Plaintiff's action against CALTRAIN in its entirety and with prejudice, with both
4 Plaintiff and CALTRAIN to bear their own costs and attorneys' fees related to their presence in
5 and dismissal from this action.

6 DATED: 4-10, 2006

SEDGWICK, DETERT, MORAN & ARNOLD LLP

7
8 By: James S. Brown

James S. Brown

Marc A. Koonin

Attorneys for Defendant

PENINSULA CORRIDOR JOINT POWERS
BOARD (erroneously sued herein as Caltrain)

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10
11 DATED: 3-31, 2006

CHARLES J. KATZ, ESQ.

ELLADENE LEE KATZ, ESQ.

12
13
14 By: Charles J. Katz

Charles J. Katz

Elladene Lee Katz

Attorneys for Plaintiff CLARENCE JAMES
"KIMO" SLOAN, JR.,

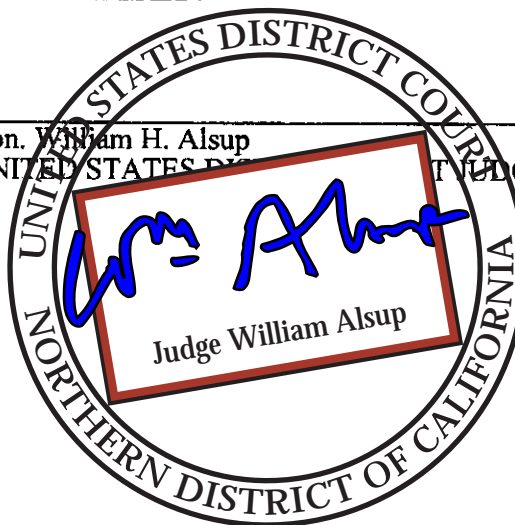
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17 **ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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20 DATED: 4/13/06, 2006

Hon. William H. Alsup
UNITED STATES DISTRICT COURT

JUDGE



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28 **SEDGWICK**
DETERT, MORAN & ARNOLD LLP

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